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(Quyen Nguyen)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/810,276
Confirmation No.: 8525
Filing Date: March 26, 2004
Inventor(s): Michael D. LAUFER
Title: METHODS OF TREATING AIRWAYS IN THE LUNG
Examiner: D. Shay
Group Art Unit: 3735

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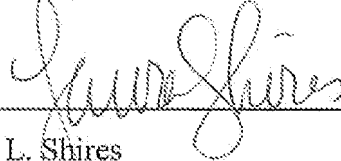
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Respectfully submitted,



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		Application Number	10/810,276	
		Filing Date	3/26/2004	
		First Named Inventor	LAUFER, Michael D.	
		Art Unit	3735	
		Examiner Name	Shay, David M.	
Sheet	1	of	2	Attorney Docket No: ASTX-N-A001.01-US

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Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T2
		AN, S.S et al., Airway smooth muscle dynamics: a common pathway of airway obstruction in asthma, European Respiratory Journal, 2007, Volume 29, Number 5, pp. 834-860.	
		BEL, E. H., Hot Stuff: Bronchial Thermoplasty for Asthma, American Journal of Respiratory and Critical Care Medicine, 2006, Volume 173, pp. 941-942.	
		BROWN, R. H. et al., In vivo evaluation of the effectiveness of bronchial thermoplasty with computed tomography, Journal of Applied Physiology, 2005, Volume 98, pp. 1603-1606.	
		BROWN, R. H. et al., Effect of bronchial thermoplasty on airway distensibility, European Respiratory Journal, Volume 26, NUMBER 2, pp. 277-282.	
		CHHAJED, P., Will There be a Role for Bronchoscopic Radiofrequency Ablation?, 2005, J Bronchol, Volume 12, Number 3, p. 184.	
		COX, G., et al., Early Clinical Experience With Bronchial Thermoplasty for the Treatment of Asthma, 2002, p. 1068.	
		COX, G. et al., Asthma Control During the Year After Bronchial Thermoplasty, The New England Journal of Medicine, March 29, 2007, Volume 356, Number 13, pp. 1327-1337.	
		COX, G. et al., Bronchial Thermoplasty: One-Year Update, American Thoracic Society Annual Meeting, 2004, p. 1.	
		COX, G., et al., Development of a Novel Bronchoscopic Therapy for Asthma, Journal of Allergy and Clinical Immunology, 2003, p. 1.	
		COX, G., et al., Bronchial Thermoplasty for Asthma, American Journal of Respiratory and Critical Care Medicine, 2006, Volume 173, pp. 965-969.	
		COX, G., et al., Bronchial Thermoplasty: Long-Term Follow-up and Patient Satisfaction, 2004, p. 1.	
		COX, G., et al., Radiofrequency ablation of airway smooth muscle for sustained treatment of asthma: preliminary investigations, European Respiratory Journal, 2004, 24, pp. 659-663.	
		COX, G., et al., Clinical Experience with Bronchial Thermoplasty for the Treatment of Asthma, 2003, Chest 124, p. 106S.	
		COX, G., et al., Impact of bronchial thermoplasty on asthma status: interim results from the AIR trial, 2006, European Respiratory Society Annual Meeting, Munich, Germany, p. 1.	
		DANEK, C. J., et al., Bronchial thermoplasty reduces canine airway responsiveness to local methacholine challenge, 2002, American Thoracic Society Annual Meeting, p. 1.	
		DANEK, C. J., et al., Asthma Intervention Research (AIR) Trial Evaluating Bronchial Thermoplasty™: Early Results, 2002, American Thoracic Society Annual Meeting, p. 1.	
		DANEK, C. J., et al., Reduction in airway hyperresponsiveness to methacholine by the application of RF energy in dogs, J Appl Physiol, 2004, Volume 97, pp. 1946-1953.	
		SOLWAY, J. et al., Airway Smooth Muscle as a Target for Asthma Therapy, The New England Journal of Medicine, March 29, 2007, 356(13), pp. 1367-1369.	

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		LAVIOLETTE, et al., Asthma Intervention Research (AIR) Trial: Early Safety Assessment of Bronchial Thermoplasty, 2004, p. 1.	
		LEFF, et al., Bronchial Thermoplasty Alters Airway Smooth Muscle and Reduces Responsiveness in Responsiveness in Dogs: A Possible Procedure for the Treatment of Asthma, American Thoracic Society Annual Meeting, 2002, p. 1.	
		LIM, E. C. et al., Botulinum Toxin: A Novel Therapeutic Option for Bronchial Asthma?, Medical Hypotheses, 2006, Volume 66, pp. 915-919.	
		LOMBARD, et al., Histologic Effects of Bronchial Thermoplasty of Canine and Human Airways, American Thoracic Society Annual Meeting, 2002, p. 1.	
		MAYSE, M. et al., Clinical Pearls for Bronchial Thermoplasty, J Bronchol, Apr-2007, Volume 14, Number 2, pp. 115-123.	
		MILLER, J. D. et al., A Prospective Feasibility Study of Bronchial Thermoplasty in the Human Airway, 2005, Volume 127, Number 6, pp. 1999-2006.	
		MILLER, J. D. et al., Bronchial Thermoplasty is Well Tolerated by Non-Asthmatic Patients Requiring Lobectomy, 2002, American Thoracic Society Annual Meeting, p. 1.	
		RUBIN, et al. Bronchial Thermoplasty Improves Asthma Status of Moderate to Severe Persistent Asthmatics Over and Above Current Standard-of-Care, 2006, American College of Chest Physicians, 2 pages.	
		WILSON, S. R. et al., Global assessment after bronchial thermoplasty: the patient's perspective, Journal of Outcomes Research, 2006, Volume 10, pp. 37-46.	
		STERK, P. J., Heterogeneity of Airway Hyperresponsiveness: Time for Unconventional, but Traditional Studies, 2004, The American Psychological Society, pp. 2017-18.	
		TOMA, T. P., Brave New World for Interventional Bronchoscopy, 2005, Thorax, Volume 60, pp. 180-181.	
		TROW, T., Clinical Year in Review 1, proceedings of the American Thoracic Society, 2006, Volume 3, pp. 553-556.	
		WIZEMAN, et al., A Computer Model of Thermal Treatment of Airways by Radiofrequency (RF) Energy Delivery, 2007, American Thoracic Society Annual Meeting, p. 1.	
		VASILOTTA, P. L. et al., "I-R Laser: A New Therapy in Rhino-Sino-Nasal Bronchial Syndrome with Asthmatic Component," American Society for Laser medicine and Surgery abstracts, date unknown, p. 74.	
		SHESTERINA, M. V. et al., Effect of laser therapy on immunity in patients with bronchial asthma and pulmonary tuberculosis, 1993, pp. 23-26.	

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